

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ROBERT SINGHA and  
AMARJIT SINGHA

V.

BAC HOME LOANS SERVICING, LP,  
ET AL.

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CASE NO. 4:10-CV-692

Judge Schneider/ Judge Mazzant

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On June 1, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint (Dkt. No. 17) should be granted in part.


The Court, having made a *de novo* review of the objections raised by Defendants (Dkt. No. 26), as well as the responses and replies thereto (Dkt. Nos. 27, 29, 30, 31, and 32), is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED** that Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint (Dkt. No. 17) is **GRANTED** in part and all claims are **DISMISSED**, with the exception

of the following: request for accounting, declaratory judgment, anticipatory breach of contract, waiver in the breach of contract, and quiet title.

**It is SO ORDERED.**

**SIGNED this 20th day of July, 2011.**



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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE